

**ORDER OF ARREARAGE/CONTEMPT
NON-PAYMENT OF SUPPORT**

Case Number _____

IN THE _____ COURT OF _____ COUNTY, ALABAMA

v. _____

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Address: _____ Address: _____

This cause, coming on to be heard on the _____ day of _____, _____, was submitted upon the Petition to Show Cause why the Defendant should not be held in contempt for failure to pay support as previously ordered, and rule nisi issued incident thereto. The Defendant was present and was advised as to the nature of these proceedings and of the possible punishment(s) should he/she be found to be in contempt of court. Sworn testimony was taken and the Court considered the evidence admitted AND/OR any and all agreements of the parties. This Court hereby finds as follows:

1. The Defendant was ordered by the _____ Court of _____, on the _____ day of _____, _____, to pay support in specified periodic payments.
2. The Defendant has/has not failed to comply with the previous order of support and is \$ _____ in arrears, as of _____.
3. Defendant's failure to make the support payments G is or G is not due to Defendant's willful neglect and G is or G is not due to an inability to pay.

It is therefore ORDERED by this Court as follows:

- ☐ 1. Judgment is hereby rendered in favor of the Plaintiff and against the Defendant in the amount of \$ _____ for the support arrearage determined due as of the above date.
- ☐ 2. The Defendant G is or G is not declared to be "IN CONTEMPT OF COURT" because of Defendant's G willful or G excusable failure to pay support as previously ordered. A separate Order of Withholding is specifically incorporated herein as a part of this Order.
- ☐ 3. The Defendant, after being advised as to how he/she might be purged to contempt and having failed to do so and having failed to show why the sentence of law should not be imposed, is hereby ordered incarcerated in the county jail until such time as the defendant is purged of contempt by the following action _____
_____ The sentence G is or G is not suspended on the following conditions:
- Defendant pay \$ _____ per _____ as current child support and _____ per _____ toward child support arrearages totaling \$ _____.
 - Defendant pay \$ _____ per _____ toward current spousal support and \$ _____ per _____ toward spousal support arrearages totaling \$ _____.
 - All the above specified payments are to begin on the _____ day of _____, _____, and are payable to _____ at (address) _____, OR
 - All the above specified payments are to be paid pursuant to this Court's separate Order of Withholding which this Court directs be served upon the G Defendant's employer or G Department of Industrial Relations at this time.
- ☐ 4. Defendant shall notify _____ of **any change of address or change in employment.**
- ☐ 5. Costs of these proceedings are hereby taxed as follows: G against Plaintiff, for which let execution issue; G against Defendant, for which let execution issue, G Waived.
- ☐ 6. If the support payments are ordered paid directly to the Clerk of this court, there shall be paid an additional \$1.00 administrative fee as provided in §12-19-26, *Code of Alabama* 1975, with each periodic payment.

DONE this _____ day

of _____,

Judge